THE INDIAN SUCCESSION ACT, 1925 (XXXIX OF 1925).

***G. N., R. D., No. 4392, dated 20th August 1880 (B. G., Pt. I, p. 716).** S. 11

In supersession of Government Notification No. 2006, dated 28th June 1865, published at page 1280 of the *Bombay Government Gazette* of the 29th idem, Part I, His Excellency the Right Honourable the Governor in Council is pleased to fix the office of the Registrar of Bombay as the office for the deposit of declarations of persons desiring to obtain a domicile in India.

G. of I., H. D., Notn. (Judicial) No. F. 349/32, dated 17th January 1933. Ss. 223 and 236.

Amended by G. of I., H. D., Notn. (Judicial) No. F. 242/35, dated 27th Mar. 1935.
Amended by G. N., H. D., No. 6620/2-II, dated 11th Sept. 1940.

In exercise of the powers conferred by sections 223 and 236 of the Indian Succession Act, 1925 (XXXIX of 1925), the Governor General in Council is pleased to make the following rules :—

1. In these rules—

(*a*) "Share capital" includes stock; and

(*b*) "Trust business" means the business of acting as trustee under wills and settlements and as executor and administrator.

2. The conditions to be satisfied by a company in order to render it eligible for the grant of probate or letters of administration under the Indian Succession Act, 1925, shall be the following, namely :—

(1) The Company shall be either—

(*a*) a company formed and registered under the Indian Companies Act, 1913, or under the Indian Companies Act, 1866, or under any Act or Acts repealed thereby; or under the Indian Companies Act, 1882, or a company formed under any other Act of the Governor General in Council or of the Indian Legislature, or

(*b*) a company constituted under the law of the United Kingdom of Great Britain and Northern Ireland or any part thereof, and having a place of business in India†, or

(*c*) a company established by Royal Charter and having a place of business in India†.

(2) The company shall be a company empowered by its constitution to undertake trust business.

(3) The company shall have a share capital for the time being subscribed of not less than—

(*a*) Rs. 10 lakhs in the case of a company of the description specified in sub-clause (*a*) of clause (1), and

* This notification issued under section 11 of Act X of 1865 (corresponding to section 11 of Act XXXIX of 1925) is kept in force under section 24 of the General Clauses Act, 1897.

† "India" means the territory of India excluding the State of Jammu and Kashmir [*vide* s. 2 (*cc*) of Act XXXIX of 1925].

(*b*) £ 100,000 in the case of a company of the description specified in sub-clause (*b*) of clause (1),

of which at least one-half shall have been paid up in cash :

Provided that the State Government may exempt any company from the operation of this clause.

Ss. 264 (2) and 300 (2)

***G. N., J. D., No. 4021, dated 31st July 1889 (B. G., Pt. I, p. 643).**

Amended by G. N., H. D., No. 8874/3/1, dated 3rd January 1939.

In exercise of the power conferred by section 2 of the Probate and Administration Act, V of 1881, the Governor of Bombay in Council is pleased, with the previous sanction of the Governor General in Council, to authorize the High Court of Judicature at Bombay throughout the territories subject to the State Government, and all District Judges as defined in the said Act within the said territories, and such Judicial officers as the said High Court may from time to time appoint as District Delegates to receive applications for Probate and Letters of Administration.

S. 388 (1)

†G. N., J. D., No. 4857, dated 12th September 1889 (B. G., Pt. I, p. 795).

Amended by G. N., H. D., No. 8874/3/1, dated 3rd January 1939.

In exercise of the power conferred on Local Governments by section 26 (*1*) of Act VII of 1889, the Governor in Council is pleased to invest the undermentioned Courts in the State of Bombay, inferior in grade to a District Court, with the functions of a District Court under the said Act :—

(*i*) the Court of the Joint Judge of Ahmedabad ;

(*ii*) the Courts of the Assistant Judges of Ahmedabad, Thana and Satara ;

(*iii*) the Courts of all the Second Class Subordinate Judges in the districts of Ahmedabad, Thana, Ahmednagar, Khandesh, Nasik, Poona, Satara and Dharwar.

S. 388 (1)

‡G. N., J. D., No. 609, dated 31st January 1890 (B. G., Pt. I, p. 77).

In exercise of the power conferred on Local Governments by section 26 (*1*) of Act VII of 1889, the Governor in Council is pleased to invest the Courts of the Second Class Subordinate Judges in the Belgaum District, inferior in grade to a District Court, with the functions of a District Court under the said Act.

S. 388 (1)

‡G. N., J. D., No. 725, dated 6th February 1890 (B. G., Pt. I, p. 118).

In exercise of the power conferred on Local Governments by section 26 (*1*) of Act VII of 1889, the Governor in Council is pleased to invest the Courts of Subordinate Judges in the Sholapur-Bijapur District, with the exception of those at Sholapur and Bijapur, inferior in grade to a District Court, with the functions of a District Court under the said Act.

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* This notification issued under section 2 of Act V of 1881 [corresponding to sections 264 (*2*) and 300 (*2*) of Act XXXIX of 1925] is kept in force by section 24 of the General Clauses Act, 1897.

† This notification issued under section 26 (*1*) of Act VII of 1889 [corresponding to section 388 (*1*) of Act No. XXXIX of 1925] is kept alive under section 24 of the General Clauses Act, 1897.

‡ This notification issued under section 26(*1*) of Act VII of 1889 [corresponding to section 388 (*1*) of Act No. XXXIX of 1925] is kept alive under section 24 of the General Clauses Act, 1897.

***G. N., J. D., No. 3527, dated 3rd July 1890 (B. G., Pt. I, p. 631).** S. 388 (1)

In exercise of the powers conferred on Local Government by section 26 (*1*) of Act VII of 1889, the Governor in Council is pleased to invest the Courts of all the Subordinate Judges in the Surat District (including Broach), inferior in grade to a District Court, with the functions of a District Court under the said Act.

***G. N., J. D., No. 4192, dated 2nd August 1890 (B. G., Pt. I, p. 803).** S. 388 (1)

In exercise of the power conferred on Local Governments by section 26 (*1*) of Act VII of 1889, the Governor in Council is pleased to invest the Court of the First Class Subordinate Judge of Ahmedabad with the functions of a District Court under the said Act.

***G. N., J. D., No. 5424, dated 3rd October 1890 (B. G., Pt. I, p. 1008).** S. 388 (1)

In exercise of the power conferred on Local Governments by section 26 (*1*) of Act VII of 1899, the Governor in Council is pleased to invest the Court of the First Class Subordinate Judge of Dharwar with the functions of a District Court under the said Act.

***G. N., J. D., No. 5276, dated 27th September 1890 (B. G., Pt. I, p. 993).** S. 388 (1)

In exercise of the power conferred on Local Governments by section 26 (*1*) of Act VII of 1889, the Governor in Council is pleased to invest the Court of the First Class Subordinate Judge of Satara with the functions of a District Court under the said Act.

G. N., J. D., No. 5861, dated 25th October 1890 (B. G., Pt. I, p. 1072). S. 388 (1)

Amended by G. N., H. D., No. 8874/3/1, dated 3rd January 1939.

In exercise of the power conferred on Local Governments by section 26 (*1*) of Act VII of 1889, the Governor in Council is pleased to invest with the functions of a District Court under the said Act the Courts of all the Subordinate Judges in this State which have not been already so invested.

* This notification issued under section 26 (*1*) of Act VII of 1889 [corresponding to section 388 (*1*) of Act No. XXXIX of 1925] is kept alive under section 24 of the General Clauses Act, 1897.

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